

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PANKAJ KUMUDCHANDRA PHADNIS,

Plaintiff,

-against-

TATA AMERICA INTERNATIONAL  
CORPORATION; US DISTRICT  
ATTORNEY FOR THE SOUTHERN  
DISTRICT OF NEW YORK,

Defendants.

21-CV-8542 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff brings this action *pro se*. On November 5, 2021, the Court received a letter from Plaintiff stating that he had previously submitted an “instrument drawn on J P Morgan Chase Bank NA, New York,” in the amount of \$400.00 for payment of the fees to bring this action, but that the payment was delivered to the wrong address. (ECF 5, at 1.) Plaintiff further stated that he realized that the fees required to bring a civil action in this court are \$402.00, not \$400.00, and asked the Court for an extension of time to pay the remaining \$2.00. By order dated November 8, 2021, the Court granted Plaintiff’s request for an extension.

On November 9, 2021, the Court received from Plaintiff a check in the amount of \$400.00. Plaintiff’s check was rejected, however, because it was not certified by a United States bank. (Dkt. Entry of November 9, 2021). On November 10, 2021, Plaintiff filed a letter stating that the bank issuing the check had clarified that it was a “certified check” and that it was “issued on the stationary of the Issuing Bank and its Correspondent Bank in New York under their inter banking agreement.” (ECF 7, at 1.) Plaintiff requests that the court accept his previous check and that he be permitted to submit payment for the \$2.00 balance using a similar instrument.

Because this court does not accept checks drawn on foreign banks, as the court is unable to deposit the funds in a normal manner, the Court directs Plaintiff to submit the \$402.00 in filing fees. If Plaintiff wishes to pay by check, he must submit a check certified by a United States-based bank. In light of Plaintiff's *pro se* status, the Court grants him an additional thirty days from the date of this order to submit payment. The Court also directs the Clerk of Court to destroy the check for \$400.00 that Plaintiff previously submitted.

### CONCLUSION

The Court directs Plaintiff to submit the \$402.00 in fees required to bring an action in this Court by check certified by a United States-based bank. Plaintiff must submit payment within thirty days of the date of this order.

The Clerk of Court is directed to destroy the check for \$400.00 that Plaintiff previously submitted.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Clerk of Court is directed to transmit this order to Plaintiff. Plaintiff has consented to receive electronic service of documents and notices in this action. (ECF 2.)

SO ORDERED.

Dated: November 22, 2021  
New York, New York

/s/ Laura Taylor Swain  
LAURA TAYLOR SWAIN  
Chief United States District Judge